

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

MAY 23 PM 4:32

U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRIAN NEWELL,

Defendant.

) INDICTMENT

) CASE NO.

5:18 CR 250

Title 18, Section 875(c), United
States Code

JUDGE GWIN

COUNT 1

(Transmit Interstate/Foreign Commerce Communication Threat,
in violation of 18 U.S.C. § 875(c))

The Grand Jury charges:

1. From on or about October 6, 2017 to on or about October 9, 2017, in the Northern District of Ohio, Eastern Division, Defendant BRIAN NEWELL knowingly and willfully did transmit in interstate and foreign commerce from Akron, Ohio, communications, which viewed together, threatened to shoot and injure any law enforcement officer, to wit: Facebook.com public postings, which included:

a. On October 6, 2017, "Def feel like I can beat the vegas shooter's high score."

b. On October 8, 2017, "Better prayer God with y'all cause I'm def not praying for your safety."

c. On October 9, 2017, "As Allah is my witness any cop or law enforcement who approaches me in any way will be fired on. Yes I'm high on them hard drugs and carrying a weapon. Just leave me alone I've lost everything I don't mind losing my life #Allahuakbar #gamg."

d. On October 9, 2017, Defendant posted a photograph of himself wearing what appeared to be a bullet-proof vest with the caption, "I'm fstw today Y'all better stop playing before y'all be missing someone. On God."

All in violation of Title 18, United States Code, Section 875(c).

COUNT 2

(Transmit Interstate/Foreign Commerce Communication Threat,
in violation of 18 U.S.C. § 875(c))

The Grand Jury further charges:

2. On or about April 7, 2018, in the Northern District of Ohio, Eastern Division, Defendant BRIAN NEWELL knowingly and willfully did transmit in interstate and foreign commerce from Akron, Ohio, communications, which viewed together, threatened to shoot and injure any law enforcement officer, to wit: Facebook.com public postings which included:

- a. On April 7, 2018, "Kill cops."
- b. On April 7, 2018, "I BET I KILL A COP TODAY P---IES."

All in violation of Title 18, United States Code, Section 875(c).

COUNT 3

(Transmit Interstate/Foreign Commerce Communication Threat,
in violation of 18 U.S.C. § 875(c))

The Grand Jury further charges:

3. On or about April 8, 2018, in the Northern District of Ohio, Eastern Division, Defendant BRIAN NEWELL knowingly and willfully did transmit in interstate and foreign commerce from Akron, Ohio to San Antonio, Texas, and back to Akron, Ohio, a communication, in which he

threatened to injure and kill an individual known, to the grand jury and, referred to herein as M.U., to wit: a telephone call placed from the Summit County jail during which he said to M.U., “And I’m killing you and them kids b—ch.”

All in violation of Title 18, United States Code, Section 875(c).

A TRUE BILL.

Original document - Signatures on file with the Clerk of Courts, pursuant to the E-Government Act of 2002.